Regd. No. M.—1175.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 1408—*R. T.* 27-38-4, *dated Bangalore,* 11*th November* 1938.

In exercise of the powers conferred on them by Section 13 of the Mysore Motor Vehicles Act, 1928, the Government of His Highness the Maharaja are pleased to exempt motor buses, lorries and cabs belonging to Government or any department of Government from payment of the inspection fee leviable under Rule 6 of the rules relating to inspection of public service motor vehicles and private lorries, issued with Notification No. T. 1—T. B., dated 28th February—2nd March 1936. (*Vide* page 120, Mysore Motor Manual 1938.)

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No. T. 1470—*R. T.* 10-37-65, *dated Bangalore,*
14*th November* 1938.

In exercise of the powers conferred on them by Section 11 of the Mysore Motor Vehicles Act, 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to Rule 21-A of the Mysore Motor Vehicles Rules, 1924, as amended from time to time, the draft amendment in the said behalf having been already published with Notification No. T. 919—R. T. 10-37-62, dated 20th September 1938, at page 254, Part IV of the *Mysore Gazette*, dated 6th October 1938.

Amendment.

Delete the word "mechanical" in line 4 of Rule 21-A issued with Notification No. T. 283—R. T. 38-36-22, dated 20th July 1937, at page 153, Part IV of the *Mysore Gazette* dated 29th July 1937, and substitute the following words :—

"a hand or mechanically operated."

The rule after the amendment will read as follows :—

21-A. Left-hand-drive motors.

21-A. "No motor vehicle with a left-hand steering control will be registered unless it is provided on its right or off-side with a hand or mechanically operated signalling apparatus of a pattern approved by the registering authority, which shall, when in operation, indicate to the following traffic the driver's intention of turning to the right or of his intention of stopping the vehicle; provided that in all cases of such motor vehicles as have been already registered but are not provided with such apparatus, a period of six months from the date of the introduction of this rule is permitted for installing such apparatus."

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

No D. 4373—*C. S.* 14-38-14, *dated Bangalore, 14th November* 1938.

In exercise of the powers vested in them under Section 44 (2) (g) of the Mysore Co-operative Societies Act of 1918, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to make the following rule prohibiting a person from serving on the Committee of Management more than one Co-operative Society of the same type.—

"6 (*d*) No person shall serve simultaneously on the Committee of Management of more than one Society of the same type without the special or general sanction of the Registrar."

N. B.—The decision of the Registrar as to whether two or more Societies are of the same type or not shall be final.

By Order,
P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

No. L. C.—966, *dated Bangalore, the 7th November* 1938.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Limitation Act, 1911 is published for general information with the statement of objects and reasons.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Bill further to amend the Mysore Limitation Act, 1911.

Whereas it is expedient further to amend the Mysore Limitation Act, 1911: It is hereby enacted as follows:—

In the first column of Article 11 of the First Schedule to the Mysore Limitation Act, 1911, omit the

words "after an investigation of" and substitute the word "on" in their place.

Statement of objects and reasons.

In British India a suit by a person against whom an order has been made under the Code of the Civil Procedure on a claim preferred to or an objection made to the attachment of property attached in execution of a decree is one year from the date of the order whether the order in question was passed after investigation or not. But in Mysore a difference exists between an order passed after an investigation and an order passed without investigation. It the case of the former the short period of limitation prescribed under Article 11 applies whereas the usual period of limitation for establishing title to property, *viz.*, 12 years applies in the case of the latter. From this it is seen that the orders in cases of claims or objections, where there was investigation, became conclusive after one year, if no suit was filed to set aside such an order by the unsuccessful party whereas in the other case, where there was no investigation, the order was not conclusive at all.

A claimant or objector who puts forward his claim or objection and interferes with execution proceedings and then does not take step to have his claim investigated is in a better position than the one who gets his claim investigated. Very often the claimants will be acting on behalf of the judgment-debtor to impede the progress in the realisation of the decree amount. There is no reason to treat the two claimants differently. In British India both kinds of claimants are treated alike, whether there is any investigation or not. In such a proceeding, the unsuccessful party has to bring a suit within one year from the date of the order. It is now proposed to amend Article 11 of the Limitation Act to bring it on a line with the law in British India and to omit the distinction now existing. It is also convenient that our law should be similar to British India law as far as possible.

No. L. 4090—*Ml.* 74-37-109, *dated Bangalore, 17th November* 1938.

In exercise of the powers vested in them under Section 61 (i) (ii) read with Section 106(t) of the Minor Municipalities Act, 1933, the Government of His Highness the Maharaja of Mysore are pleased to issue the accompanying rules for regulating dangerous and offensive trades within the limits of the Minor Municipalities in the State :—

Rules.

1. A. "Dangerous trade" means the business of storing, for sale—

(1) Firewood,
(2) Hay, Straw, or any other dried fodder for cattle,
(3) Coal and Charcoal,
(4) Cotton,
(5) Kerosene Oil in godowns,
(6) Petroleum in godowns,
(7) Kerosene oil in tanks,
(8) Petroleum in tanks,
(9) Bamboos, poles, rafters, reepers, scoutings and mats,
(10) Calcium carbide in bulk,
(11) Any other material of an inflammable character.

B. "Offensive trade" means the business of—

(1) Boiling or storing offal, blood, bone or rags,
(2) Storing hides, horns or skins or organic manure,
(3) Tanning,
(4) Dyeing,
(5) Washing or drying wool or hair,
(6) Making or manufacturing of tiles, pottery or other earthenware or lime,
(7) Making or manufacturing bricks,
(8) Manufacturing oil by boiling,
(9) Camphor boiling,
(10) Soap making,
(11) Using any place as a cart-stand,
(12) Using any place as a smithy,

(13) Using any place as a rice mill, flour mill or oil mill or for twisting yarn or silk-weaving or other industrial concern, wherein electricity, steam, water or other mechanical power is used, to work the same or as a factory as defined in the Mysore Factories Act.

"Owner" means the proprietor and includes all persons in charge of the places where offensive or dangerous trades as explained above, are carried on.

2. The Owner of every place where dangerous or offensive trades are proposed to be carried on, shall not use it as such without obtaining a license therefor, from the President.

3. The license shall be current for one year commencing from 1st July to end of June every year, and it is not transferable.

4. The owner should apply for the renewal of the license at least 15 days before the expiry of the period specified in the previous license.

5. Every person who obtains a license under rule (2) or a renewal of the license under rule 4 should pay license fees at the following rates :—

(a) (i) *Dangerous Trades.*—For each class of business :—Rs. 5 per annum.

(b) (i) *Offensive Trades.*—For each class of business or each kiln or furnace for bricks, the license fee shall be Rs. 5 per annum.

(ii) For each Factory Rs. 25.

Note.—In the case of hand-made bricks, the license fee shall be Rs. 5 per kiln of 1,00,000 bricks or a fraction thereof.

6. No such license shall be granted, unless the place intended for the purpose is suitable for the trade in question without the likelihood of causing any danger or nuisance to the persons residing in or resorting to the neighbourhood.

7. Every owner as defined in Rule 1 above, shall be bound to allow the inspection of the place where the trade is carried on by the President, Vice-President, Sanitary Inspector or Assistant Sanitary Inspector of the Municipality and any Revenue Officer of and above the rank of the Revenue Inspector, and shall afford every facility for such inspection.

8. Every such owner shall be bound to furnish to the President, whenever called upon to do so, statistics, such as number of people employed, their salaries and quantity of goods received, manufactured, sold, or exported by him.

9. The license is subject to the special conditions noted below :—

2. A. *Dangerous Trades.*—(1) Every owner shall so store his goods as to admit of free ingress and egress for the removal of the goods and for quenching a fire, if any, should break out,

(2) He shall not cause or suffer any cover made of combustible material to be erected or placed over or adjoining any such goods,

(3) He shall, at all times, keep the premises clean and dry to the satifaction of the Municipal Officers.

(4) He shall not allow smoking or the introduction of fire or open light into the premises and he shall always store sufficient quantity of water to quench a fire, if any, should break out.

(5) He shall comply with any requisition from the President, Vice-President or any other Municipal Officer or servant authorised by such President, contained in a notice for the total or partial removal from the premises of the aforesaid goods or the removal of any other combustible materials not intended for sale or for rectifying any error or omission in attending to the said premises.

3. B. *Offensive Trades.*—(1) In the case of offensive trades (1) the trades mentioned in Rule 1B (2), (3), (4), (5), (8), (9) and (10) shall not be carried on in any locality which is thickly populated and which is less than two furlongs distant from a cluster of 25 inhabited houses.

(2) The trade shall be carried on only in the place shown in the license,

(3) The owner shall store or convey all offensive and noxious material in proper air-tight receptacles provided with effective tight lids.

(4) He shall adopt the best practicable means of rendering innocuous all vapours emitted during the process of the trade either by proper ventilation or other suitable means, the manner in which and the place to which all refuse matter might be transported being determined by the President.

(5) He shall keep the floor and the premises in good order and repair so as to prevent the absorption of any liquid, filth or refuse or any noxious or injurious matter which might fall or get deposited thereon.

(6) He shall provide the premises with proper drains and keep them in good order.

(7) He shall cause the premises to be cleaned at the close of the day.

(8) He shall not allow any refuse or waste matter, whether solid or liquid, which is likely to be a source of danger or nuisance, to be deposited in or around the premises but shall have it removed daily in such manner as might be determined by the President.

(9) He shall adopt such other precautions as are necessary to minimise danger or nuisance to the public from the use to which such premises are put.

(10) He shall comply with any requisition from the President, Vice-President or other Municipal Officer or servant authorised by the President contained in a notice for rectifying any error or omission in attending to the above provisions and for promoting the health of the persons employed in such trade.

10. The President shall have power to suspend or withdraw a license granted under these rules, whenever he deems such a course necessary, in the interest of the safety and convenience of the public generally, or of the persons inhabiting or resorting to the neighbourhood of the premises covered by the license or for failure to get the license renewed for the ensuing year in time, or whenever the conditions of the license are not complied with.

11. Any breach of these rules will entail in addition to the suspension or withdrawal of the license, the prosecution of the owner under Section 98 of the Minor Municipalities Act, 1933.

12. The license shall be in the following form :—

LICENSE TO CARRY ON DANGEROUS AND OFFENSIVE TRADES.

No. Fees Rs. Date

granted under the rules regulating Dangerous and Offensive Trades issued with Government Notification No.

To

(Name of Owner).
Description of trade.
Description of premises.
Period covered by the license.

President.

CONDITIONS.

1. The license is not transferable.
2. The license is current for one year commencing from.....
.....
3. The license is subject to the conditions enumerated in Rules 7, 8, 9 and 10 of the rules for regulating Dangerous and Offensive Trades in minor Municipalities.

No. D. 4512—C. S. 11-36-308, dated Bangalore, 21st November 1938.

In exercise of the powers vested in them under Section 44 (2) (g) of the Mysore Co-operative Societies Act VII of 1918, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to make the following modifications in Rule 31 of the Rules in the matter of election of members to the Committees of Management of Co-operative Societies.

(1) Add the following as sub-rule 2-A of Rule 31.

"As a rule all the members of the committee of management shall be deemed to have vacated their seats at the time of the annual general meeting but shall continue in office till relieved by their successors."

(2) Add the word "annual" before the words "general meeting," wherever the same occur in Rule 31.

(3) For the word "meeting" in line 6 of sub-rule 2 of Rule 31, substitute the word "election."

By Order,
P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.